Preparatory Committee for the 2005 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

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Treaty on the Non-Proliferation of Nuclear Weapons

Report submitted by New Zealand

Article I

New Zealand views the commitment of nuclear weapon states to non-transfer and other controls under this Article as essential. Suggestions that international terrorists were interested in obtaining nuclear explosive devices have underlined the continuing importance of the commitment in changing circumstances.

Article II

New Zealand obligations through the Non-Proliferation Treaty (NPT) are legislated in the New Zealand Nuclear Free Zone, Disarmament, and Arms Control Act 1987. New Zealand concerns about compliance by other non-nuclear weapon states parties to the NPT have been expressed in various forums, for example during our current term on the International Atomic Energy Agency (IAEA) Board of Governors.

Article III

The Safeguards Agreement between the IAEA and New Zealand came into force on 29 February 1972, and the Model Additional Protocol to the Agreement was concluded on 24 September 1998. In 2001 the IAEA assessed New Zealand to be in full compliance with all its safeguard commitments. With no nuclear weapons, no nuclear energy generation, no nuclear reactor and no production of uranium or other relevant material, New Zealand has only very minor activities subject to safeguards.

New Zealand applies export controls to materials and dual-use goods which can be used in a nuclear weapon programme. It coordinates these with other members of the Nuclear Suppliers Group, which New Zealand joined in 1994.

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Article IV

New Zealand has decided by policy not to use its rights to develop research, production and use of nuclear energy for peaceful purposes. In the context of global negotiations relating to climate change, and in the IAEA, New Zealand points to the long term lack of sustainability of nuclear energy and the continuing risks of pollution and proliferation.

In implementing its national export controls New Zealand seeks to restrict trade related only to unsafeguarded nuclear facilities or nuclear weapon programmes in non-nuclear weapon states.

New Zealand has been active, at such forums as the IAEA General Conference, in promoting close attention to the safe transport of radioactive materials and radioactive waste. New Zealand is concerned that there be the highest possible safety standards and that they be applied fully, that coastal and other interested states receive notification in advance of shipments, and that advanced liability arrangements be in place.

Article V

New Zealand took an active part in negotiation of the Comprehensive Test Ban Treaty (CTBT) and ratified the CTBT in March 1999. In New Zealand, the Treaty has been enacted in the Nuclear-Test-Ban Act 1999. A ban on nuclear testing is also included in the South Pacific Nuclear Free Zone Treaty and the New Zealand Nuclear Free Zone, Disarmament, and Arms Control Act 1987.

New Zealand remains a strong supporter of the Treaty and its Provisional Technical Secretariat in Vienna. New Zealand was a co-signatory of the Joint Ministerial Statement of Support for the CTBT, initiated by Australia, Japan and the Netherlands, at the United Nations General Assembly in September 2002. New Zealand believes a continued moratorium on all nuclear explosive testing is imperative pending formal entry of the comprehensive test ban into force. In the meantime, New Zealand cooperates with the Provisional Treaty Secretariat in helping to establish the International Monitoring System for the CTBT, with stations in New Zealand itself and in regional partners in the South Pacific.

Article VI

With its partners in the New Agenda, and as Chair of the relevant Subsidiary Body at the 2000 NPT Review Conference, New Zealand has worked hard in recent years to promote the negotiations in good faith relating to cessation of the nuclear arms race and to nuclear disarmament. In this context New Zealand draws strength from the 1996 Advisory Opinion of the International Court of Justice on the illegality of the threat or use of nuclear weapons.

In February 2000 the New Zealand Parliament resolved, without dissent:

as a mark of the dawning of the year 2000, to appeal to all fellow member states of the United Nations, and especially the nuclear weapon states, to join with New Zealand in fulfilling the obligation to pursue in good faith and bring to a conclusion negotiations leading to nuclear disarmament in all its aspects under strict and effective international control.

At the United Nations in 2003, New Zealand, with the New Agenda, was a lead sponsor of Resolution 58/51 (*Towards a nuclear-weapon-free world: a new agenda*), which highlighted limited progress on many NPT issues and called upon States to abide fully by their commitments.

In March 2004, New Zealand sponsored a seminar with the International Peace Academy, which considered frameworks for approaching the current challenges posed by weapons of mass destruction. New Zealand's Minister for Disarmament and Arms Control addressed the seminar and participated in discussion sessions.

At the Conference on Disarmament New Zealand remains supportive of proposals for a programme of work, including on nuclear disarmament, fissile materials, outer space, and negative security assurances.

Article VII

New Zealand is a full party to the South Pacific Nuclear Free Zone Treaty of 1985 (the Treaty of Rarotonga, also enacted in the New Zealand Nuclear Free Zone, Disarmament, and Arms Control Act 1987). All the independent countries of the South Pacific are now covered by the Treaty, and four of the nuclear weapon states (Britain, China, France and Russia) have ratified Protocols giving security assurances to the region. The United States has signed the Protocols.

In recent years New Zealand has worked with Brazil and others to create new links between the nuclear weapon free zones of the Southern Hemisphere.

Article VIII

As mentioned, New Zealand took a very prominent part in the 6th Review Conference of the NPT (New York, April/May 2000) and it will participate fully in the 7th Review Conference in 2005.

Article IX

New Zealand continues to emphasise the importance of universalisation of the NPT, for example in bilateral dialogues in 2001 with India, and in international forums (especially with New Agenda partners) calling on India, Israel and Pakistan. New Zealand expects that these countries accede to the NPT as non-nuclear weapon states in accordance with Article IX. New Zealand welcomed Cuba's accession to the NPT in 2002 as a positive step towards the goal of universalisation.

New Zealand remains very concerned at the DPRK's current stance against the NPT, and has urged the DPRK to cease efforts to withdraw from the Treaty.

Article X

New Zealand joined the consensus decision in 1995 that the NPT be extended indefinitely. The Conference adopted a package of decisions in 1995: strengthening the review process; Principles and Objectives for Nuclear Non-Proliferation and Disarmament; extension of the Treaty; the Resolution on the Middle East, and all these elements remain significant. In New Zealand's view, the extension of the NPT was not a permit for the indefinite possession of nuclear weapons.

Building on this, the 2000 Review Conference agreed on detailed practical steps for systematic a progressive efforts to implement Article VI of the Treaty. The nuclear weapon states gave unequivocal commitment to achieve the total elimination of their nuclear arsenals. New Zealand h evaluated national progress with regards to the 13 steps, and attaches a document outlining progress an annex to this report.

Relevant to article X, the Conference agreed in 2000: "the principle of irreversibility to apply to nucle disarmament, nuclear and other related arms control and reduction measures".

13 Steps: New Zealand Progress

Step 1

New Zealand ratified the CTBT in March 1999, having taken an active part in its negotiation. At t United Nations in 2003, New Zealand was a core sponsor of Resolution 58/71 (*Comprehensive Nuclea Test-Ban Treaty*), which reiterated calls for universal ratification of the CTBT. In 2002, New Zeala co-sponsored a Joint Ministerial Statement on the CTBT, which Ministers delivered in New York. Ne Zealand works closely with the Provisional Technical Secretariat (PTS) in Vienna on CTBT issue Pending ratification of the treaty, New Zealand has been active in the establishment of an Internation Monitoring System (IMS) for the CTBT, and has set up six monitoring stations on New Zeala territory. New Zealand co-operates closely with Fiji, the Cook Islands, and Kiribati on the installati of IMS stations within the Pacific region.

Step 2

The Joint Ministerial Statement on the CTBT, co-sponsored by New Zealand in September 2002, call upon "all States to continue a moratorium on nuclear weapon test explosions or any other nucle explosions", pending official ratification of the Treaty. New Zealand's Foreign Minister reaffirmed t importance of this voluntary undertaking in his public support of the statement. New Zealand h worked with Pacific countries to put in place the South Pacific Nuclear Free Zone Treaty, which ba nuclear testing. New Zealand has also created a New Zealand Nuclear Free Zone, and sustained against international pressure.

Step 3

New Zealand has actively supported moves to overcome the current failure within the Conference Disarmament (CD) to agree on a programme of work, including especially the Amorim and Fi Ambassadors' proposals for a programme of work on nuclear disarmament, fissile materials, outer spa and negative security assurances.

Step 4

The establishment of a subsidiary body to deal with nuclear disarmament is a key element of t Amorim and Five Ambassadors' proposals, and would provide significant progress towards Ne Zealand hopes for the CD and the fulfilment of Article VI.

Step 5

New Zealand has argued, in partnership with the New Agenda, that irreversibility in nuclear disarmament, nuclear reductions, and other related nuclear arms control measures is imperative. The New Agenda Position Paper, submitted to the Second Preparatory Committee in 2003, reaffirmed that continuous irreversible progress in nuclear arms reductions was a fundamental pre-requisite for promoting nuclear non-proliferation.

Step 6

New Zealand, in partnership with the New Agenda, presses states to live up to the unequivocal undertaking delivered at the 2000 Review Conference, for the total elimination of nuclear arsenals. This undertaking remains significant. New Zealand has reminded states of their obligations, most recently through the Minister for Disarmament and Arms Control's opening statement to the Third Preparatory Committee on 26 April 2004. The unequivocal undertaking on the part of all NPT states is a foundation on which the New Agenda Coalition continues to build.

Step 7

New Zealand notes that START II and START III have been discarded following the withdrawal of the United States from the Treaty on the limitation of Anti-Ballistic Missile systems (ABM) in 2002. The Moscow Treaty (2002) represents a positive first step in the process of nuclear de-escalation between the US and Russia, through undertakings to reduce the numbers of deployed strategic nuclear warheads. However, New Zealand emphasises, through the New Agenda, that reductions in deployments and in operational status cannot substitute for irreversible destruction of weapons towards the goal of total elimination of nuclear weapons.

Step 8

New Zealand supports the Trilateral Initiative.

Step 9

New Zealand supports the full range of measures outlined in this step. In particular, New Zealand is keen to see progress on the issue of non-strategic nuclear weapons, and was a lead sponsor of Resolution 58/50 (*Reductions of non-strategic nuclear weapons*) at the United Nations in 2003.

Step 10

New Zealand recognises and welcomes the fact that all non-nuclear-weapon states have already accepted full controls on fissile materials. These controls are verified and administered by the IAEA. New Zealand urges nuclear weapon states to adopt similar commitments in this area.

Step 11

The New Zealand Government engages in a wide range of disarmament work relating to weapons of mass destruction and conventional weapons. Through active membership of the NPT, Chemical Weapons Convention, and Biological Weapons Convention, New Zealand campaigns for progress towards the elimination of weapons of mass destruction. New Zealand works within the international

community on conventional weapon issues such as landmines and inhumane weapons. There is close co-operation between New Zealand and Pacific neighbours on efforts to reduce and control the small arms trade. New Zealand also belongs to four major export control regimes: the Australia Group, Wassenaar Arrangement, Nuclear Suppliers Group, and Missile Technology Control Regime.

Step 12

New Zealand submitted a report to the Second Preparatory Committee in 2003, which set out New Zealand's progress with regards to each article of the NPT. This report has been revised and updated and is submitted to the Third Preparatory Committee in conjunction with this document.

Step 13

New Zealand has given strong support to a system of strengthened IAEA safeguards, including in regional disarmament discussions. New Zealand is strongly supportive of the IAEA's safeguards system as an essential component of the global non-proliferation system. IAEA safeguards provide assurance that states are meeting their undertakings under the Treaty, and provide the mechanism for states to demonstrate their compliance. Universal application of the integrated safeguards system, including Additional Protocols, would promote collective security. New Zealand continues to call upon those 44 states which have not yet concluded any safeguards agreement with the IAEA to do so at the earliest possible date.